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 CO., LTD., SAMSUNG ELECTRONICS
 14 AMERICA, INC. and SAMSUNG
 TELECOMMUNICATIONS AMERICA, LLC
 15

16 UNITED STATES DISTRICT COURT

17 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

18 APPLE INC., a California corporation,

19 Plaintiff,

20 vs.

21 SAMSUNG ELECTRONICS CO., LTD., a
 Korean business entity; SAMSUNG
 22 ELECTRONICS AMERICA, INC., a New
 York corporation; SAMSUNG
 23 TELECOMMUNICATIONS AMERICA,
 LLC, a Delaware limited liability company,

24 Defendants.
 25

CASE NO. 11-cv-01846-LHK

**DECLARATION OF MICHAEL T.
 ZELLER IN SUPPORT OF MOTION TO
 EXCLUDE ORDINARY OBSERVER
 OPINIONS OF APPLE EXPERT COOPER
 WOODRING**

**Date: October 13, 2011
 Time: 1:30 pm
 Place: Courtroom 8, 4th Floor
 Judge: Hon. Lucy H. Koh**

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1 **DECLARATION OF MICHAEL T. ZELLER**

2 I, Michael T. Zeller, do hereby declare and state as follows:

3 1. I am a member of the State Bars of California, New York and Illinois and am
4 counsel for Samsung Electronics Co., Ltd., Samsung Electronics America, Inc. and Samsung
5 Telecommunications America, LLC (collectively "Samsung") in these proceedings. I have
6 personal knowledge of the facts stated herein and, if sworn as a witness, could and would testify
7 competently thereto.

8 2. Attached hereto as Exhibit 1 is a true and correct copy of excerpts from the
9 Deposition Transcript of Cooper Woodring, dated August 5, 2011.

10 3. Attached hereto as Exhibit 2 is a true and correct copy of Japanese design
11 registration 1241638, marked as Deposition Exhibit 67 .

12 4. Attached hereto as Exhibit 3 is a true and correct copy of the Expert Design Report
13 of Non Infringement in the Case of TomTom International, B.V. v. Garmin International Inc., by
14 Cooper Woodring, dated October 10, 2006, bates numbered APLNDC00010756-
15 APLNDC00010808.

16 5. Attached hereto as Exhibit 4 is a true and correct copy of the Declaration of Cooper
17 C. Woodring in Support of Apple's Motion for Preliminary Injunction, dated June 30, 2011.

18 6. Attached hereto as Exhibit 5 is a true and correct copy of Apple, Inc.'s ComTech
19 United States Report Q410, dated February 11, 2011, marked as Deposition Exhibit 14.

20 7. Attached hereto as Exhibit 6 is a true and correct copy of excerpts from the
21 Transcript of the Hearing before the Subcommittee on Patents, Copyrights and Trademarks, of the
22 Committee on the Judiciary, of the United States Senate, regarding Senate Bill 791 (One
23 Hundredth Congress), dated March 26, 1987.

24 8. Attached hereto as Exhibit 7 is a true and correct copy of excerpts from the
25 Transcript of the Hearing before the Subcommittee on Intellectual Property and Judicial
26 Administration, of the Committee on the Judiciary, of the United States House of Representatives,
27 regarding House Resolution 1790 (One Hundred Second Congress), dated January 29, 1992.

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9. Attached hereto as Exhibit 8 is a true and correct copy of excerpts from the Deposition Transcript of Christopher Stringer, dated August 3, 2011.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on August 22, 2011, at San Francisco, California.

/s/ Michael T. Zeller
Michael T. Zeller

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GENERAL ORDER ATTESTATION

I, Kevin Johnson, am the ECF user whose ID and password are being used to file the foregoing document. I hereby attest pursuant to General Order 45.X.B. that concurrence in the electronic filing of this document has been obtained from Michael Zeller.

/s/ Kevin Johnson